\* f)4-04-6/ DOCKET NO.: 19603/3243 (CRF D-2601C) EXPRESS MAIL NO.: EL709321094US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE





UTILITY PATENT APPLICATION TRANSMITTAL FORM (only for new nonprovisional applications under 37 CFR 1.53(b)

ASSISTANT COMMISSIONER FOR PATENTS Washington, D.C. 20231

**BOX: PATENT APPLICATION** 

SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract, 121 pages) of:

Inventors: Alan Collmer, James R. Alfano, and Amy O. Charkowski

[ ] Continuation [ ] Divisional [ ] Continuation-In-Part (CIP)

: DNA MOLECULES AND POLYPEPTIDES OF PSEUDOMONAS SYRINGAE For

HRP PATHOGENICITY ISLAND AND THEIR USES

\*\*If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:

of p	rior application Serial No.		
Pri	or application information: Examiner : Art Unit :		
Encl	osed are:		
[X]	11 sheets of Formal drawings.		
[ ]	Signed Combined Declaration and Power of Attorney ( pages).		
[]	Copy of signed Combined Declaration and Power of Attorney ( pages) from a prior application (1.63(d) (for continuation/divisional).		
[]	<b>Signed</b> statement deleting inventor(s) named in prior application ( pages) (1.63(d)(2) and 1.33(b)).		
	<b>Incorporation By Reference</b> : The entire disclosure of the prior application, from which a <b>copy</b> of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.		
]	Assignment ( pages) of the invention to		
]	Assignment Transmittal Letter.		
]	Certified copy of a foreign priority document.		
]	Associate power of attorney.		
[X]	Applicants claim small entity status. (See 37 CFR 1.27.)		

[]	Preliminary Amendment ( pages).			
[]	Information Disclosure Statement, form PTO-1449 ( pages) and references.			
[X]	UNSIGNED Combined Declaration and Power of Attorney (2 pages).			
[X]	Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.			
[X]	Sequence Listing (85 pages).			
[X]	A self-addressed, prepaid postcard acknowledging receipt.			
[]	Other:			

The Filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	
FOR:	NO. FILED	NO. EXTRA	
BASIC FEE	XXXXXXX	XXXXXXXX	
TOTAL CLAIMS	37 - 20 =	17	
INDEP CLAIMS	3 - 3=	0	
I 1 MULTIPLE DEPENDENT CLAIM PRESENTED			

\*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2

SMZ	1 7 1	ENTITY
POINT.	$\mathbf{L} \mathbf{L} \mathbf{L}$	/ L/1   L L L L L

SMALL ENTITY			
RATE	FEE		
XXXX	\$355		
x 9=	\$163		
x 40=	\$0		
x135 =	\$		
TOTAL	\$518		
•			

LARGE ENTITY

<u>OR</u>	RATE	FEE
<u>OR</u>	XXXX	\$710
<u>OR</u>	x 18 =	\$
<u>OR</u>	X80 =	\$
<u>OR</u>	x270 =	\$
<u>OR</u>	TOTAL	\$
		<u></u>

- Please charge my Deposit Account No.\_\_\_\_ in the amount of \$\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$518.00 to cover the filing fee is enclosed. [X]
- The Commissioner is hereby authorized to charge any additional fees which may be required, or [X]credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.
- Address all future communications to:

Michael L. Goldman NIXON PEABODY LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603

Date: April 3, 2001

Edwin V. Merkel

Registration No. 40,087

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Docket No.: 19603/3243 (CRF D-2601C)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Collmer et al.	)	Examiner:
Serial No.	:	To Be Assigned	)	To Be Assigned
Cnfrm. No.	:	To Be Assigned	)	Art Unit: To Be Assigned
Filed	:	Herewith	)	
For	:	DNA MOLECULES AND POLYPEPTIDES OF <i>PSEUDOMONAS SYRINGAE</i> HRP PATHOGENICITY ISLAND AND THEIR USES	) ) )	

## STATEMENT IN ACCORDANCE WITH 37 CFR § 1.821(f)

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

Box: Patent Application

Sir:

In accordance with 37 CFR § 1.821(f), this statement confirms that the contents of the Sequence Listing (85 pages) of the subject application as submitted herewith and on the computer readable 3.5" Diskette submitted herewith are the same.

Respectfully submitted,

Date: April 3, 2001

Edwin V. Merkel

Registration No. 40,087

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## **EXPRESS MAIL CERTIFICATE**

DOCKET NO.:

19603/3243 (CRF D-2601C)

APPLICANTS:

Alan Collmer, James R. Alfano, and Amy O. Charkowski

TITLE:

DNA MOLECULES AND POLYPEPTIDES OF

PSEUDOMONAS SYRINGAE HRP PATHOGENICITY ISLAND

AND THEIR USES

Certificate is attached to the Formal Drawings (11 sheets) of the above-named application.

EXPRESS MAIL NUMBER: EL709321094US

DATE OF DEPOSIT:

**April 3, 2001** 

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, BOX: PATENT APPLICATION.

Jo Ann Whalen
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper

or fee)